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### A Lesson in Justice: Ethan Notarius '15 Had A Role in the First War Crimes Tribunal Since Nuremburg

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# A lesson in justice

*Ethan Notarius '15 had a role in the first war crimes tribunal since Nuremberg*

In the office where he served his summer legal internship, Ethan Notarius '15 heard several languages being spoken every day. Besides three U.S. colleagues, there were up to a dozen other legal interns, from Australia, Bosnia, Bulgaria, China, Colombia, Great Britain, Italy, Iceland, Lithuania, Romania and Serbia. The trial he was working on was conducted in English, French and Bosnian-Croatian-Serbian. And the trial team is dealing with more than 2 million pages of documents.

Such is life at the International Criminal Tribunal for the former Yugoslavia (ICTY), where former Bosnian Serb Republic President Radovan Karadzic is accused of war crimes allegedly committed during the Bosnian War. His trial in The Hague, Netherlands, before a Trial Chamber of three judges, began in 2009 and is expected to finish in 2014. Karadzic is defending himself, but he has a legal adviser and team to provide advice, do legal research, draft legal documents and handle procedural matters.

Notarius, who spent the summer as an intern working on the case, says the length of the trial is no surprise, given the amount of information at issue and the breadth and seriousness of the alleged crimes, which cover a period of about five years. "Terms like 'genocide' and 'crimes against humanity' refer to heinous crimes, and they can't be handled lightly. Both the prosecution and defense recognize this and the future impact of the trial's outcome, and I think they handle the case accordingly," he says.

Karadzic, he says, "has been highly



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vilified, rightfully so or not, by much of the international community. I don't know whether he expected a particular outcome in deciding to self-represent. Yet I think he wanted to convey his perspective and establish a more complete record, not for his case alone but for the world – to show there is another side to the story, that things may not be exactly as they've been portrayed by the media. With so many facts and events at issue, self-representation was probably his best option."

Notarius' job involved working with the voluminous document record, searching, organizing and analyzing documents that had been digitized and stored on computer – looking, for example, for documents that might be used during a witness' cross-examination.

He also compiled witness sum-

maries and did legal research and writing, including researching international treaties, covenants and human rights cases; drafting legal memoranda; and contributing to a motion.

The highlight, Notarius says, was "taking the skills I learned in my first year of law school, the legal writing, and the principles of law and justice I learned in my doctrinal classes, and applying them to an international context. Many of the first-year skills and fundamentals are universal in character, and it was interesting to see how they take shape in an ad hoc tribunal that applies a mix of civil and common law." For example, he says, the ICTY affords defendants many

rights similar to those guaranteed in the U.S. Constitution's Bill of Rights, but not the Sixth Amendment right to a jury trial for certain cases. ICTY cases are heard by a three-judge trial chamber and allow the use of hearsay evidence.

Notarius says he felt privileged to have spent his summer alongside talented and dedicated attorneys, law students and staff. He hopes the ICTY, as the first war crimes tribunal since Nuremberg, will remind future generations that there are certain acts humanity will not tolerate.